

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Malachi Young

Case: 2:24-mj-30324
Case No. Assigned To : Unassigned
Assign. Date : 8/5/2024
Description: COMP USA V. YOUNG
(KB)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 31, 2024 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 USC 922(g)(1)

Felon in Possession of Ammunition

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: August 4, 2024

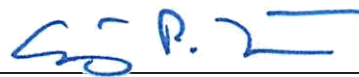
City and state: Ann Arbor, Michigan



Complainant's signature

Brendt Smith, Special Agent, ATF

Printed name and title



Judge's signature

Anthony P. Patti United States Magistrate Judge

Printed name and title

AFFIDAVIT

I, Brendt Smith being duly sworn, depose and state the following:

INTRODUCTION

1. I have been employed as a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) since January 2022. I am currently assigned to the Detroit, Michigan Field Division, Group II. In this role, I investigate violations of firearms, arson, fraud, explosives, and narcotics laws. Prior to my employment with ATF, I was employed by United States Customs and Border Protection (CBP), Office of Field Operations, for approximately eight years in the position of federal officer. Prior to my employment with CBP, I was employed by the City of Saint Clair for approximately seven years in the position of police officer.

2. I have an associate degree in Criminal Justice from Saint Clair County Community College. I graduated from the Kirtland Regional Police Academy and completed the CBP Field Operations Academy, Criminal Investigator Training Program and Special Agent Basic Training at the Federal Law Enforcement Training Center.

3. I make this affidavit from personal knowledge based on my participation in this investigation, as well as information received from other law enforcement officers and/or their reports and records. The information outlined

herein is provided for the limited purpose of establishing probable cause and does not contain all details or facts that exist pertaining to the investigation. As set forth below, probable cause exists that Malachi Andre YOUNG violated 18 U.S.C. § 922(g)(1) (felon in possession of ammunition) on or about May 31, 2024.

PROBABLE CAUSE

A. YOUNG's Criminal History

4. I reviewed YOUNG's computerized criminal history (CCH) and Third Judicial Circuit Court of Michigan, Register of Actions records and learned YOUNG has been convicted of the following felony offense:

- 2023 – Third Circuit Court – Larceny- \$20,000 or more

5. According to YOUNG's CCH and Third Circuit Court records, on July 12, 2023, YOUNG was arrested for Felony Receiving and Concealing Stolen Property - \$20,000 or more (Michigan Compiled Laws (MCL) § 750.535(2)(a)) and Felony Larceny - \$20,000 or more (MCL § 750.356(2)(A)). On December 1, 2023, YOUNG plead guilty to Felony Larceny - \$20,000 or more, which carries a penalty of not more than ten (10) years in prison. In pleading guilty, YOUNG's attorney signed YOUNG's name, with permission, on a Settlement Offer, Advice of Rights, and Notice of Acceptance form, which stated that Larceny - \$20,000 or more carried a maximum term of imprisonment of more than one year. The second charge for Felony Receiving and Concealing Stolen Property - \$20,000 or more,

was dismissed. On March 12, 2024, YOUNG failed to appear for sentencing, causing a warrant to be issued for YOUNG. YOUNG has not yet been sentenced.

B. May 31, 2024 Shooting and Possession of Ammunition

6. On May 31, 2024, at approximately 1:21 a.m., Detroit Police Department (DPD) officers responded to a non-fatal shooting. DPD officers were flagged down by the victim (V1) in the area of Plymouth and Asbury Park in Detroit, Michigan. V1 was driving a Nissan Rogue that had apparent gunshot damage. DPD documented seventeen (17) holes in the vehicle caused by suspected gunfire. DPD also observed a gunshot wound to V1's triceps area. V1 identified himself/herself as an Uber driver, stating he/she was going to pick up a rider at 11401 Hubbell Ave. When V1 arrived, it appeared two unknown males were already shooting at each other. V1 said shots were coming from a silver SUV, but V1 was unsure of the make or model. V1 immediately drove away onto Plymouth Ave. until he/she located police. V1 was subsequently transported to Corewell Health Dearborn Hospital for treatment.

7. DPD officers responded to 11401 Hubbell to investigate further. During their investigation, DPD evidence technicians located multiple different calibers of fired cartridge casings (FCCs) in the area of 11401 Hubbell. Below is a summary of the FCCs found at the scene:

- (5) .223 Remington FCCs
- (9) 9-millimeter (mm) luger FCCs
- (10) 7.62x39 FCCs

8. ATF TFO Wallace Richards and I reviewed surveillance video from the New Land Liquor store at 14601 Plymouth Ave. The location is a Project Greenlight location. A camera at the location faces south on Hubbell but only captured the area just north of the incident location. The video depicts that at approximately 1:15 a.m., what appears to be V1 arrive from Plymouth Avenue turning south on Hubbell Avenue. It appears V1 stops at 11401 Hubbell based on the reflection of brake lights from a residence just north of the incident location. Approximately three minutes later, V1 appears to travel north on Hubbell Ave. and disregard the red light at Plymouth Ave. Shortly after V1 leaves, I observed what appears to be headlights from the west side of Hubbell Avenue depicted on the surveillance video. Based on the headlight's reflection on the houses, it appears the vehicle travels south on Hubbell.

9. While DPD officers were at the hospital with the V1, officers were notified by nurses that a second victim with a gunshot wound had arrived via private transportation shortly before V1 arrived. The second victim was identified as YOUNG.

10. YOUNG told DPD officers that he was walking to the store, heard shots, and felt pain in his left hand. YOUNG did not know exactly where the incident occurred but said it happened on the border of Detroit and Dearborn. YOUNG said two unidentified black females in a gray SUV offered help. YOUNG only remembered being surrounded by nurses. When DPD detectives arrived to speak with YOUNG, he refused to answer questions.

11. While a nurse was gathering YOUNG's belongings for logging and YOUNG's transfer to a different room, he found a Lake City Ammunition Plant .223 Remington FCC in YOUNG's pants pocket. The nurse placed the FCC in a bag, which was subsequently turned over to a DPD officer. The FCC from YOUNG's pocket had suspected blood on it. The DPD officer who received the FCC had DPD evidence technicians observe the FCC from YOUNG's pocket. DPD evidence technicians confirmed the FCC make and caliber matched the make and caliber of some of the FCCs from the shooting scene at 11401 Hubbell Ave.

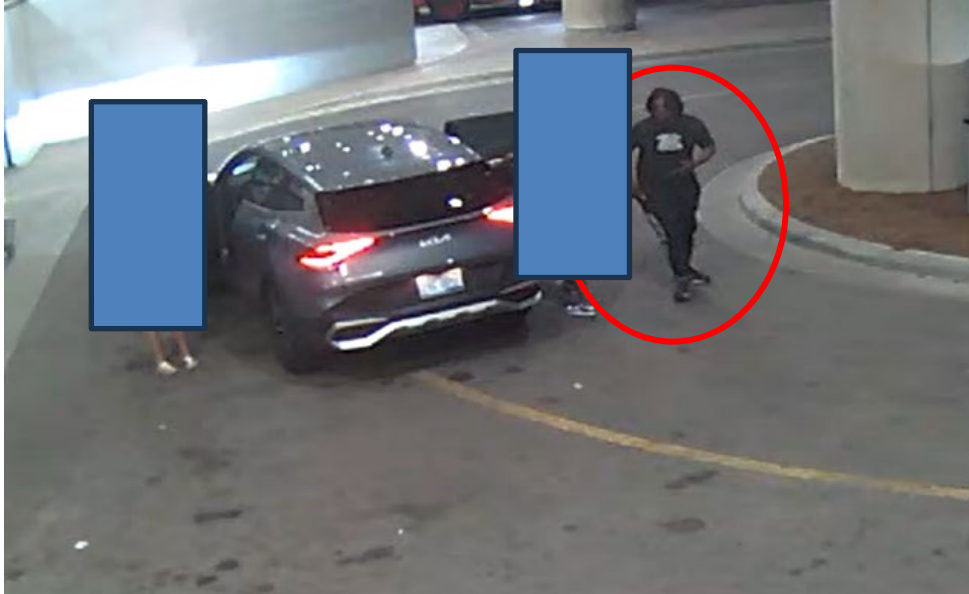
12. DPD submitted the FCC from YOUNG's pocket to the National Integrated Information Network (NIBIN). The NIBIN analysis revealed the FCC from YOUNG's pocket preliminarily matched some of the FCCs found at the scene at 11401 Hubble, suggesting that they were likely fired from the same firearm.

13. It should be noted that a DPD report documents the FCC from YOUNG's pocket as 5.56 NATO caliber ammunition. NIBIN records document the same FCC as .223 Remington caliber ammunition. Based on my training and experience, I know that firearms chambered for 5.56 NATO caliber ammunition also use .223 Remington caliber ammunition and can be documented synonymously.

14. DPD officers spoke with hospital security, who said that on May 31, 2024, YOUNG arrived in a gray Kia SUV with an unknown license plate. According to security, YOUNG arrived with two black females and two black males.

15. I obtained and reviewed hospital surveillance video of YOUNG being dropped off at the hospital on May 31, 2024.

16. The video depicts the following. At approximately 1:33 am, a gray Kia arrives at the hospital with an unknown Michigan license plate. YOUNG, wearing a black t-shirt and black pants, exits the passenger side of the vehicle, appearing to favor his left hand and walking into the emergency room. While YOUNG is exiting the vehicle, an unidentified black female, wearing a white dress, exits the driver's door, and an unidentified black female, wearing a blue dress, exits the passenger side. The image depicted below is a still shot of the above-described footage with YOUNG circled in red.



17. ATF Interstate Nexus Expert, Special Agent Joshua McLean, was provided with a photograph of the Lake City Ammunition Plant .223 Remington FCC recovered by DPD after falling out of YOUNG's pocket. Based on SA Mclean's training and experience with the interstate nexus of firearms and ammunition, and SA McLean's examination of the photograph of the shell casing, SA McLean concluded the shell casing was manufactured outside the State of Michigan and is ammunition as defined in Title 18 U.S.C., Chapter 44, Section 921(a)(17)(A). Therefore, probable cause exists that the FCC possessed by YOUNG traveled in and affected interstate or foreign commerce.

18. Probable cause exists to believe that YOUNG, having been previously convicted of a crime punishable by more than one year in prison, knowingly possessed ammunition that had previously traveled in and affected interstate commerce, in violation of Title 18, United States Code, Section 922(g)(1).



Brendt Smith, Special Agent
Bureau of Alcohol, Tobacco, Firearms and
Explosives

Sworn to before me and signed in my presence
And/or by reliable electronic means



Anthony P. Patti
United States Magistrate Judge

Dated: August 4, 2024